



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

July 21, 2010

By Facsimile

The Honorable Loretta A. Preska
Chief Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
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Re: United States v. Rendon-Herrera et al.,
S3 04 Cr. 962 (LAP)

Dear Chief Judge Preska:

The Government respectfully requests that the conference scheduled for July 12, 2010 be adjourned. The parties continue to actively discuss disposition of this matter without trial and jointly request an additional month for those discussions to continue. Based on a conversation with your Honor's chambers, the Government respectfully proposes that the conference be adjourned to September 23, 2010 at 11:00 a.m. The parties further request that your Honor exclude the time until September 23, 2010, from Speedy Trial Act calculations, pursuant to Title 18, United States Code, Section 3161(h)(7)(A). Such an exclusion of time serves the interests of justice and outweighs the interests of the defendant and the public in a speedy trial, because it allows the parties to continue their disposition discussions. A proposed order is attached. The Government also notes that time is also appropriately excluded due to the pending motions in this case, pursuant to 18 U.S.C. § 3161(h)(1)(D).

Respectfully submitted,

PREET BHARARA
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cc: Jeff Cohn, Esq.

The Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial, because it will permit the Government to continue disposition discussions with the defendant and to respond to the pending motions.

Accordingly, it is ORDERED that the time between the date of this Order and ~~September~~²³ is hereby excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(1)(D) & (h)(7)(A), in the interests of justice.

Dated: New York, New York

~~June~~ 21, 2010

July 21



HONORABLE LORETTA A. PRESKA
CHIEF UNITED STATES DISTRICT JUDGE